UNITED STATES DISTRICT COURT		EASTERN DISTRICT OF TEXAS
DAVID KING, JR.,	§	
Plaintiff,	§ 8 8	
versus	§ §	CIVIL ACTION NO. 9:23-CV-74
TEXAS DEPARTMENT OF CRIMINAL JUSTICE, et al.,	8 8 8 9	
Defendants.	§ §	

MEMORANDUM ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff David King, Jr., an inmate confined at the Wainwright Unit, proceeding *pro se*, brought this lawsuit pursuant to 42 U.S.C. § 1983. Plaintiff requested leave to proceed *in forma pauperis*.

The court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends denying plaintiff's application to proceed *in forma pauperis*.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

The magistrate judge's recommendation was based on plaintiff's statements, made under the penalty of perjury, that he has \$90.00 in a banking account or his prisoner trust fund and he owns a United States bond valued at approximately \$100,000,000.00. In his objections, plaintiff requests the court to make arrangements for paying the filing fee with the Secretary of the United States Treasury. Plaintiff is responsible for making arrangements for paying the filing fee, not the

court. Therefore, after careful consideration of all the pleadings and the relevant case law, the court concludes that plaintiff's objections lack merit.

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. It is

ORDERED that plaintiff's application to proceed *in forma pauperis* (#2) is **DENIED**. Plaintiff shall pay the filing fee of \$402.00 within thirty (30) days from the date of this order. Plaintiff's failure to comply with this order may result in the dismissal of this lawsuit pursuant to Federal Rule of Civil Procedure 41(b).

SIGNED at Beaumont, Texas, this 7th day of February, 2024.

Marcia A. Crone

MARCIA A. CRONE

UNITED STATES DISTRICT JUDGE